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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,303	10/16/2001	Richard M. Bentley	110878	4673

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EXAMINER

JEAN GILLES, JUDE

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,303

Applicant(s)

BENTLEY, RICHARD M.

Examiner

Jude J. Jean-Gilles

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

This office action is responsive to RCE communication filed on 10/27/2005.

Claims 1-18 are cancelled. Claims 1-20 are pending. Claims 1-20 represent "methods and apparatus for generating a user interest profile by monitoring electronic messages."

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-20** are rejected under 35 U.S.C. 102(e) as being anticipated by Eichstaedt et al (Eichstaedt), Patent No. 6,654,735 B1.

Regarding **claim 1**, Eichstaedt discloses a method for generating or extending a user interest profile, comprising:
monitoring e-mail messages directed to the user (column 1, lines 57-67; column 5, lines 20-40);

Art Unit: 2143

selecting those e-mail messages satisfying at least one predetermined condition indicating that they are likely to include information relevant to the user's interests (column 5, lines 20-62; column 6, lines 1-29); and

extracting profile data from the selected messages (column 5, lines 20-62; column 6, lines 1-29);

wherein, for each selected message, the selected message is selected and the extracted profile data is extracted before the user reads the selected message (column 10, lines 50-64).

Regarding **claim 2**, Eichstaedt discloses a method according to claim 1, further comprising storing the extracted profile data (column 10, lines 50-64).

Regarding **claim 3**, Eichstaedt discloses a method according to claim 2, further comprising displaying the extracted profile data to the user and storing only those data indicated by the user (column 5, lines 20-62).

Regarding **claim 4**, Eichstaedt discloses a method according to claim 1, wherein the at least one predetermined condition is constituted by the message having an attachment. Examiner takes notice that a message with an attachment is well known in the art and that feature is inherent to an email message.

Regarding **claim 5**, Eichstaedt discloses a method according to claim 1, wherein the at least one predetermined condition is constituted by the message being a forwarded message (column 5, lines 20-62; column 6, lines 1-29).

Regarding **claim 6**, Eichstaedt discloses a method according to claim 5, wherein said extracting further comprises operating on words added by a forwarder of the forwarded message.

Regarding **claim 7**, Eichstaedt discloses a method according to claim 1, wherein the at least one predetermined condition is constituted by the message including a URL (column 10, lines 50-67).

Regarding **claim 8**, Eichstaedt discloses a method according to claim 1, wherein the profile data comprise one or more keywords or phrases (column 3, lines 62-67; column 4, lines 1-15).

Regarding **claim 9**, Eichstaedt discloses a method according to claim 1, wherein said extracting further comprises operating on data contained within a subject line of the message (column 4, lines 51-67).

Regarding **claim 10**, Eichstaedt discloses a method according to claim 1, wherein said extracting further comprises operating on an attachment to the message. Examiner takes notice that a message with an attachment is well known in the art and that operating on the content of an attachment of an email message is inherent in the art.

Regarding **claim 11**, Eichstaedt discloses a method according to claim 1, further comprising using the extracted data to search an information repository for matching items (column 5, lines 19-67; column 6, lines 1-29).

Regarding **claim 12**, Eichstaedt discloses an apparatus for generating or extending a user interest profile, the method comprising: means for monitoring

Art Unit: 2143

electronic messages directed to the user; means for selecting those electronic messages satisfying at least one predetermined condition indicating that they are likely to include information relevant to the user's interests; and means for extracting profile data from the selected messages (column 5, lines 19-67; column 6, lines 1-29).

Regarding **claim 13**, Eichstaedt discloses an apparatus according to claim 12, wherein the at least one predetermined condition is constituted by the message having an attachment. Examiner takes notice that a message with an attachment is well known in the art and that feature is inherent to an email message.

Regarding **claim 14**, Eichstaedt discloses an apparatus according to claim 12, wherein the at least one predetermined condition is constituted by the message being a forwarded message (column 5, lines 20-62; column 6, lines 1-29).

Regarding **claim 15**, Eichstaedt discloses an apparatus according to claim 14, wherein said extracting means operates on words added by a forwarder of the forwarded message (column 5, lines 20-62; column 6, lines 1-29).

Regarding **claim 16**, Eichstaedt discloses an apparatus according to claim 12, wherein the at least one predetermined condition is constituted by the message including a URL (column 10, lines 50-67).

Regarding **claim 17**, Eichstaedt discloses an apparatus according to claim 12, wherein the profile data comprise one or more keywords or phrases (column 3, lines 62-67; column 4, lines 1-15).

Regarding **claim 18**, Eichstaedt discloses an apparatus according to claim 12, wherein said extracting means operates on one of data contained within a subject line of the message and an attachment to the message (column 4, lines 51-67).

Regarding **claim 19**, Eichstaedt discloses an apparatus according to claim 12, further comprising: a display for displaying the extracted profile data to the user; and a memory for storing only those data indicated by the user (figs. 1-2; column 5, lines 19-67; column 6, lines 1-29).

Regarding **claim 20**, Eichstaedt discloses an apparatus according to claim 12, further comprising means for using the extracted data to search an information repository for matching items (figs. 1-2; column 5, lines 19-67; column 6, lines 1-29).

Conclusion

3. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3719.

Art Unit: 2143

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

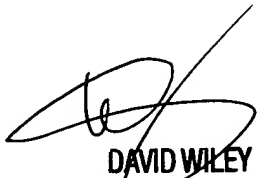
Jude Jean-Gilles

Patent Examiner

Art Unit 2143

JJG

November 23, 2005



DAVID WILEY
SUPERVISORY PATENT EXAMINER
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